

# Hydraulic Code Implementation Citizen Advisory Group (HCICAG)

## Meeting Notes

**Meeting Date/Time:** July 7, 2015, 10:00 p.m. – 3:00 p.m.

**Location:** Port of Tacoma, Fabulich Center Conference Room 104, 3600 Port of Tacoma Road, Tacoma, WA 98424

### Attendees

Name	Affiliation
<b>HCICAG Members</b>	
Shannon Moore	Moore Fish Company (Commercial Fishers)
Bill Rehe	Port of Tacoma
Jim Shellooe	Association of General Contractors of Washington
Brandon Roozen	Western Washington Agricultural Association
Steve Whitehouse	Building Industry Association of Washington
William Thomas	Washington Prospectors Mining Association
Lisa Willis	Port of Longview
Heather Trim	Futurewise
Amy Carey	Sound Action
Kim MacDonald	Fish not Gold
Kimbal Sundberg	Lead Entities, San Juan County (WRIA 2) Lead Entity
Stephen Dillon	Hancock Forest Management, Inc.
<b>Public and Interested Parties</b>	
Shandra O'Haleck	National Marine Fisheries Service
<b>WDFW Staff</b>	
Randi Thurston	Protection Division Manager, Habitat Program
Dan Doty	Environmental Planner, Habitat Program
Melinda Posner	Facilitator, Wildlife Program
Don Ponder	Environmental Engineering Section Manager, Habitat Program
Phil Dionne	Research Scientist, Habitat Program
George Wilhere	Research Scientist, Habitat Program

### Welcome, Introductions and Agenda Review

Randi Thurston welcomed everyone and reviewed the agenda after everyone introduced themselves. Randi thanked Bill Rehe for hosting the meeting at the Port of Tacoma.

## **Old Business**

**Approval of Meeting Minutes:** Melinda Posner reviewed the draft minutes from the April 7, 2015 meeting and asked if there were any comments or changes. There were none and the minutes were approved as written.

**Approval of the HCICAG Charter:** Melinda Posner handed out copies of the HCICAG Draft Charter (Draft 3-April 9, 2015) with some minor revisions. She reviewed the proposed revisions with the group. The revisions were accepted and the HCICAG Charter was approved as revised.

The approved April 7, 2015 meeting minutes and the final HCICAG Charter will be posted to the WDFW HCICAG website (<http://wdfw.wa.gov/about/advisory/hcicag/>).

**Email protocol:** One member asked if email communication between the committee and staff should be responded to with “reply all”. The group agreed that reply all works unless the groups’ emails and contact information are going to a broader audience.

## **Legislative/Drought Update**

**Legislative update:** Dan Doty provided an update to the group on bills that were signed into law that could affect the implementation of the hydraulic code. Dan noted that there was only one bill (SSB 5166 – Concerning the management of forage fish resources) passed during the past legislative session that could have some effect on the implementation of the hydraulic code. Dan provided a copy of the final Legislative Bill Report for SSB 5166 (<http://apps.leg.wa.gov/billinfo/summary.aspx?bill=5166>) and summarized the bill and its intent for: 1) WDFW and DNR to collaborate and enhance survey efforts of surf smelt and sand lance spawning grounds in Puget Sound and the Strait of Juan de Fuca and, 2) WDFW to conduct midwater trawl surveys in Puget Sound to evaluate the prevalence of all adult forage fish species. Dan responded to a variety of questions regarding the forage fish data and how these data are used.

### **Committee Questions/Comments**

- Is this intended for areas that are/are not mapped already?
- Will it be done by agency staff or outside consultant?
- When will sampling protocol be updated?
- Regarding trawl surveys, will you still do in winter in north sound?
- Are we starting from ground zero? Doesn't seem that we have been collecting data for 40 years. For recent smelt PDR, saw 20-yr-old data
- GIS data provides collection date if you click on the “info” button
- If a port requested help from agency staff to determine areas of importance, could the agency help with that and would there be a cost?
- What if results conclude that forage fish are not doing well? Will private landowners be impacted by restrictions?
- Concerned about the integrity of the data
- Will the survey look at beach habitat? There are some good areas for spawning; some not; there should be considerable focus on that – what is good/not good habitat
- Not easy to know/difficult to document where they're spawning – seems there are less forage fish in south sound; more in north sound; has implications for salmon recovery

**WDFW Drought Response:** Randi Thurston gave an overview of WDFW's drought response efforts. She provided a handout (WDFW Drought Response July 6, 2015) summarizing the department's drought response activities. Randi responded to a variety of questions from the group and suggested that they contact the WDFW drought coordinator Teresa Scott ([Teresa.Scott@dfw.wa.gov](mailto:Teresa.Scott@dfw.wa.gov) or phone: 360-902-2713 with any additional questions. Further information is also available at the WDFW Drought Response Website (<http://wdfw.wa.gov/conservation/drought/>).

**Committee Questions/Comments:**

- Concerns re: fish stranding already occurring; permit required to move fish? How long to get one to move stranded juveniles?
- Is agency coordinating with Ecology re: closed areas due to high water temps, etc.?
- Dewatering of streams provides good window for construction
- Does agency have resources to address items identified in Governor's budget?
- Are rivers being closed to fishing?
- Last pink cycle in the Skagit water was shut down; is that coordinated?
- Ecology water managers are required to manage X flow at certain locations per FERC licenses; could be other in the watershed that don't meet this threshold
- Re specific drought actions taken on Fox Canyon Creek – was purpose to save fish in stream or?
- FERC relicensing followup; Lake Cushman example; tribes are asserting more and more that streamflows are a treaty right

**Water Crossing Structures**

Don Ponder, Environmental Engineering Section Manager for the Habitat Program gave an interesting overview presentation on the WDFW 2013 Water Crossing Design Guidelines for water crossing design. He discussed some common fish passage barrier issues, how these issues have been addressed in the past and current design methods recommended for addressing the design of culverts and bridges. His presentation is posted on the HCICAG website and he also suggests the following links for more information. Don's contact information is: [Donald.Ponder@dfw.wa.gov](mailto:Donald.Ponder@dfw.wa.gov) or phone: (360) 902-2547.

- Aquatic Habitat Guidelines: <http://wdfw.wa.gov/conservation/habitat/planning/ahg/>
- Water Crossing Design Guidelines, 2013: <http://wdfw.wa.gov/publications/01501/>
- Fish Passage Barrier and Surface Water Diversion Screening Assessment and Prioritization Manual: <http://wdfw.wa.gov/publications/00061/>

**Committee Questions/Comments:**

- Questions and comments about the 77 sampled sites
  - o Random or ?
  - o Did agency verify that these were built as designed? Built as permitted?
  - o Why were the 33 areas excluded?
  - o What do you do when you find a fish passage barrier?
- Other

- Have we considered sola-tubes to increase light in culverts?

### **HPA Implementation and Effectiveness Monitoring**

George Wilhere and Phillip Dionne, Research Scientists for the WDFW Habitat Program gave an overview of the department's HPA implementation and effectiveness monitoring program. Phil gave a historical overview of the HPA permitting program George discussed agency efforts to learn and improve our how we implement the intent of the HPA program and efforts to improve using the adaptive management process. The group asked Phil and George to come back to the next meeting to provide more specific, detailed results from their implementation and effectiveness work for culverts in fish bearing streams and on saltwater bank protection projects.

#### **Committee Questions/Comments:**

- Where should advisory group plug in? Opportunities potentially to:
- What level of failure is acceptable
- How do you consider changes of the watershed over time; seems it should be built into the system
- Link up with Ecology to consider climate, lots of work done with stormwater management
- How will you compare if pre-date for culverts isn't collected
- What's the planning horizon?
- What's the baseline?
- Will there be more monitoring in upper vs. lower basins?
- Coordinate with DNR?
- For armoring in marine areas, what areas were looked at and why those?
- Size of watershed should be factored in
- Need to look at multiple watersheds to compare – with culverts and without
- Do you consider land use data – forest, urban, suburban, etc.
- Concrete box culverts don't allow passage in low flows; are these still around, being built?

### **Role of Chapter 77.55 RCW in salmon recovery**

Randi gave a brief overview of the role of Chapter 77.55 RCW Construction projects in state waters and its role in salmon recovery. She talked briefly about the intent of the law for regulating construction project activities and its limitations for use to address salmon recovery in a broader sense.

#### **Committee Questions/Comments:**

- Can agency say no to HPA permits that might result in damage
- Do biologists look at maps where restoration work is being done when they consider approving permits
- How much salmon recovery funding is spent on culvert replacement?
- How does agency deal with train trestles, since railroads are exempt?
- Is there cross-training going on with DNR? Seems to be inconsistent approach b/w agencies and regions

### **Wrap-up**

#### **Next Meeting Date**

The next meeting is scheduled for: Thursday, October 1, 2015

Time: 1000-1500

Location: Natural Resources Building, Olympia

**Possible Agenda Topics for the next meeting**

- The group requested that George Wilhere and Phil Dionne come back to the next meeting and provide more specific, detailed results from their implementation and effectiveness work for culverts in fish bearing streams and on saltwater bank protection projects.

**Action Items:**

- Meeting Notes: WDFW will compile and send out draft in next week
- Presentations from today's meeting will be posted on the HCICAG website.
- Randi will send contact information for WDFW drought coordinator to the group.
- Send presentations in advance of the meetings, if possible, so that members can review and come prepared with questions and issues to discuss with the group.